

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

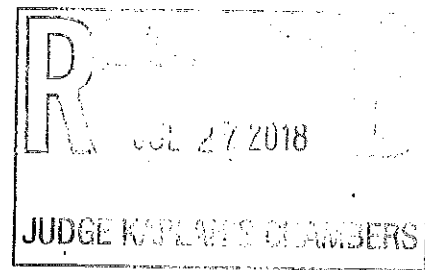
DANIEL KLEEGERG, LISA STEIN and
AUDREY HAYS,

Plaintiffs,

vs.

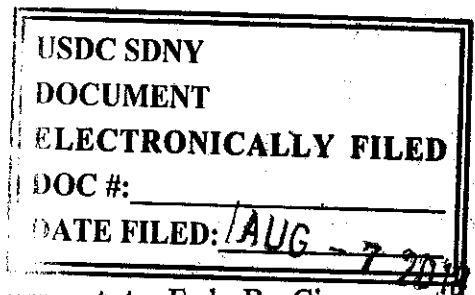
LESTER EBER; ALEXBAY, LLC f/k/a LESTER
EBER, LLC; CANANDAIGUA NATIONAL BANK
& TRUST COMPANY; ESTATE OF ELLIOTT W.
GUMAER, JR.; EBER BROS. & CO., INC.; EBER
BROS. WINE AND LIQUOR CORP.; EBER BROS.
WINE & LIQUOR METRO, INC.; EBER-
CONNECTICUT, LLC; and WENDY EBER,

Defendants.



PARTIAL
STIPULATION OF DISMISSAL

Civ. Action No.: 1:16-cv-09517-LAK



IT IS HEREBY STIPULATED AND AGREED, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), by and between the undersigned, the attorneys of record for all parties to the above-entitled action, that the above-entitled action be, and the same hereby is, dismissed with prejudice as to Defendant, **Canandaigua National Bank & Trust Company**, without costs to any party as against another. This stipulation may be filed without further notice with the Clerk of the Court.

DATED: July 24, 2018

CLINTON BROOK & PEED

A handwritten signature in dark ink, appearing to read 'B.C. Brook'.

Brian C. Brook, Esq.

Attorneys for Plaintiffs

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DATED: July 26, 2018

WOODS OVIATT GILMAN LLP

A handwritten signature in dark ink, appearing to read 'D. O'Brien'.

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Attorneys for Defendant

Canandaigua National Bank & Trust

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Tel.: (585) 987-2800

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DATED: July 26, 2018

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DATED: July 26, 2018

UNDERBERG & KESSLER LLP

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SO ORDERED

Lewis A. Kaplan
LEWIS A. KAPLAN, USDJ

8/4/18